



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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7/8/03

Applicants: Kanevsky et al.
Serial No.: 09/680,711
Filed: October 6, 2000
For: EFFICIENT COMMUNICATION WITH PASSIVE DEVICES
Art Unit: 2683 Attorney Docket: YOR9-2000-0241-US1
Examiner: Le, Danh C Customer No.: 27623

**AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED
EXAMINATION**

Mail Stop RCE
Commissioner for Patents
P.O. BOX 1450
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Technology Center 2600

Sir:

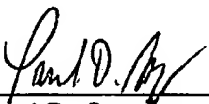
In reply to the final Office Action dated April 2, 2003, please amend the
above patent application as follows:

Newly presented claim 29 recites a repetition of steps (a) and (b) for an additional data message such that the local service provider identified by the repeated steps is one that currently has control over the communications of the active device so as to permit the passive device to be movable to new locations and still be able to receive the additional data message. None of the cited references teach this feature. Accordingly, it is submitted that claim 29 distinguishes from the cited art and is, therefore, allowable.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 103(a) be withdrawn, that claims 21-28 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 7-1-03



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RCE/2683

REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/680,711
Filing Date: August 06, 2000
First Named Inventor: Dimitri Kanevsky
Group Art Unit: 2683
Examiner Name: Le, Danh C.
Customer No.: 27623
Attorney Docket Number: YOR9-2000-0241US1

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7/8/03

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. Previously submitted
i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on
iii. Other
b. XXXXX Enclosed **RECEIVED**
i. XXXXX Amendment/Reply **JUL 07 2003**
ii. Affidavit(s)/Declaration(s) **Technology Center 2600**
iii. Information Disclosure Statement (IDS)
iv. Other

2. **Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
b. Other

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. XXXXX The Director is hereby authorized to charge the amount of **\$750.00** for the filing fee for the RCE and credit any overpayments to Deposit Account No. **50-0510**.
i. XXXXX RCE fee required under 37 C.F.R. §1.17(e)
ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. Other
b. Check in the amount of \$ enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

July 2, 2003

Date of Signature

07/07/2003 RENDAF1 00000068 500510 09680711

01 FC:1801 750.00 DA

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. EV128239500US, service under 37 CFR §1.10 and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 2, 2003.

Kenroy A. Browne

(Typed name of person mailing paper)

Kenroy A. Browne
(Signature of person mailing paper)